

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

DISTRICT JUDGE GERALD BRUCE LEE
MAGISTRATE JUDGE JOHN F. ANDERSON

MICROSOFT CORPORATION)
)
Plaintiff,)
v.) CASE NO. 1:08cv00596-GBL-JFA
)
L & Y ELECTRONICS, INC.,)
)
JOHN A. LINTON, and)
)
SANGSOON LINTON)
)
Defendants.)

DEFENDANTS' MOTION FOR VOLUNTARY DISMISSAL OF

VIRGINIA ANTITRUST COUNTERCLAIM

Defendants, L & Y ELECTRONICS, INC., JOHN A. LINTON, AND SANGSOON LINTON (collectively “Defendants” hereinafter) by counsel, pursuant to Federal Rule of Civil Procedure 41, and for the reasons set forth in the accompanying memorandum of law, hereby move the court to dismiss its second counterclaim to the extent it is based upon Virginia antitrust law (Virginia Code Section 59.1-9.1 *et. seq.*).

Respectfully submitted,

/s/

Timothy Graves, Esq.
Virginia State Bar No. 45,414
Co-counsel for Defendants
A Attorney LLC
9300 Grant Avenue, Suite 203
Manassas, Virginia 20110
Phone: 703-365-8306
Fax: 703-365-8307
a-atty@verizon.net

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of August, 2008, I will electronically file the forgoing Motion with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

John K. Roche, Esq.
Counsel for Plaintiff
PERKINS COIE, LLP
607 Fourteenth Street, N.W., Suite 800
Washington, D.C. 20005
Phone: 202-434-1627
Fax: 202-654-9106
jroche@perkinscoie.com

/s/

Timothy Graves, Esq.
Virginia State Bar No. 45,414
Co-counsel for Defendants
A Attorney LLC
9300 Grant Avenue, Suite 203
Manassas, Virginia 20110
Phone: 703-365-8306
Fax: 703-365-8307
a-atty@verizon.net